

Appl. No. 09/750,744
Amdt. dated January 10, 2008
Reply to Office Action of December 21, 2007

REMARKS/ARGUMENTS

Claims 23-26 and 29-44 are presented for consideration. Independent claims 23, 37, and 38 are amended to clarify their subject matter without adding new matter and claims 1-22 were previously canceled. Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the foregoing amendments is respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Anderson in view of Roe does not teach or suggest each and every element of the claimed invention.

By way of the Office Action mailed September 14, 2007, claims 23 – 26 and 29-44 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over U.S. Patent No. 5,843,063 to Anderson et al. (hereinafter "Anderson") in view of U.S. Patent No. 6,120,783 to Roe et al. (hereinafter "Roe"). This rejection is respectfully traversed to the extent that it may apply to the presently presented claims.

Anderson is directed to a multifunctional absorbent material and products made therefrom. Independent claim 23 of the present application is directed to an absorbent article including, *inter alia*, an absorbent core having a body-facing surface and an intake intensifier pledget located to overlie a central portion of the body-facing surface of the absorbent core, wherein the pledget is located between the absorbent core and a cover. The Examiner cites Anderson at col. 20, line 7 and Fig. 1 as evidence that Anderson discloses this arrangement. Referring to Fig. 1 of Anderson, the Examiner labels element 2 as one layer of the pledget, element 3 as a second layer of the pledget, and element 4 as a fluid distribution layer. By the Examiner's own argument, Anderson is left without "an absorbent core having a body-facing surface and an intake intensifier pledget located to overlie a central portion of the body-facing surface of the absorbent core," as required by claim 23, and does not disclose, teach, or suggest adding another layer of absorbent material beyond those already shown in Fig. 1. Roe does not correct the deficiencies of Anderson in that Roe also does not disclose, teach, or suggest the structure recited in claim 23.

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Independent claim 37 of the present application is directed to an absorbent article including, *inter alia*, a first absorbent layer and a second absorbent layer; the first absorbent layer overlying the second absorbent layer and situated between a cover and the second absorbent layer, and the first and second absorbent layers including a Thru-Air Bonded Carded Web material. Anderson does not disclose, teach, or suggest two absorbent layers, both including Thru-Air Bonded Carded Web materials. In addition, and contray to the Examiner's assertion, Anderson does not disclose, teach, or suggest "a staple fiber that has a denier of between about 3 and about 10" as required by claim 37. The Examiner cites col. 14, lines 31-32, but this passage does not mention fiber denier; this passage refers to the lengths of fibers but not to their denier. Roe does not correct the deficiencies of Anderson in that Roe also does not disclose, teach, or suggest either of these shortcomings of Anderson.

Independent claim 38 of the present application is directed to an absorbent article including, *inter alia*, an absorbent core having a body-facing surface and an intake intensifier pledget located to overlie a central portion of the body-facing surface of the absorbent core, wherein the pledget is located between the absorbent core and the cover; and wherein the pledget includes a first layer and a second layer, the first layer having said Thru-Air Bonded Carded Web material and the second layer including an airlaid nonwoven material. The Examiner cites Anderson at col. 20, line 7 and Fig. 1 as evidence that Anderson discloses this arrangement. Referring to Fig. 1 of Anderson, the Examiner labels element 2 as one layer of the pledget, element 3 as a second layer of the pledget, and element 4 as a fluid distribution layer. By the Examiner's own argument, Anderson is left without "an absorbent core having a body-facing surface and an intake intensifier pledget located to overlie a central portion of the body-facing surface of the absorbent core" as required by claim 38, and does not disclose, teach, or suggest adding another layer of absorbent material beyond those already shown in Fig. 1. Roe does not correct the deficiencies of Anderson in that Roe also does not disclose, teach, or suggest the structure recited in claim 38.

Accordingly, for at least these reasons, Applicants respectfully submit that independent claims 23, 37, and 38 are patentable over Anderson in view of Roe. Moreover, claims 24-26, 29-36, and 39-44, which all eventually depend from claims 23 and 38, are also accordingly patentable over Anderson in view of Roe.

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For the reasons stated above, it is respectfully submitted that all of the presently presented claims are in form for allowance.

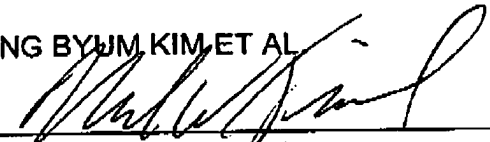
Please charge any prosecutorial fees which are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

The undersigned may be reached at: (920) 721-8863.

Respectfully submitted,

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